

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00545-CJN**

ELECTRONIC PRIVACY INFORMATION CENTER v. U.S.
DEPARTMENT OF HOMELAND SECURITY
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 03/08/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**ELECTRONIC PRIVACY
INFORMATION CENTER**

represented by **Alan Jay Butler**
ELECTRONIC PRIVACY
INFORMATION CENTER
1519 New Hampshire Ave, NW
Washington, DC 20036
(202) 483-1140 ext 103
Fax: (202) 483-1248
Email: butler@epic.org
ATTORNEY TO BE NOTICED

Marc Rotenberg
ELECTRONIC PRIVACY
INFORMATION CENTER
1519 New Hampshire Avenue, N.W.
Washington, DC 20036
(202) 483-1140, ext 106
Fax: (202) 483-1248
Email: rotenberg@epic.org
ATTORNEY TO BE NOTICED

Jeramie D. Scott
ELECTRONIC PRIVACY
INFORMATION CENTER
1718 Connecticut Avenue, NW
Suite 200
Washington, DC 20009
(202) 483-1140
Fax: (202) 483-1248
Email: jscott@epic.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF HOMELAND
SECURITY**

represented by **Johnny Hillary Walker , III**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2575
Fax: (202) 252-2599
Email: johnny.walker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Doris Denise Coles-Huff
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530

(202) 252-2557
 Fax: (202) 252-2599
 Email: doris.coles@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/08/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 400 receipt number 0090-5365740) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney for the District of Columbia, # <u>3</u> Summons Attorney General of the United States, # <u>4</u> Summons U.S. Department of Homeland Security)(Scott, Jeramie) (Entered: 03/08/2018)
03/08/2018	<u>2</u>	Corporate Disclosure Statement by ELECTRONIC PRIVACY INFORMATION CENTER. (Scott, Jeramie) (Entered: 03/08/2018)
03/14/2018		Case Assigned to Judge Ketanji Brown Jackson. (zsb) (Entered: 03/14/2018)
03/14/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 03/14/2018)
03/14/2018	<u>4</u>	NOTICE of Appearance by Marc Rotenberg on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Rotenberg, Marc) (Entered: 03/14/2018)
03/16/2018	<u>5</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for briefing motions and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 3/16/2018. (lckbj1) (Entered: 03/16/2018)
03/29/2018	<u>6</u>	NOTICE of Appearance by Johnny Hillary Walker, III on behalf of All Defendants (Walker, Johnny) (Entered: 03/29/2018)
04/11/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/28/2018. Answer due for ALL FEDERAL DEFENDANTS by 4/27/2018. (Scott, Jeramie) (Entered: 04/11/2018)
04/11/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/28/2018. (Scott, Jeramie) (Entered: 04/11/2018)
04/11/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY served on 3/27/2018 (Scott, Jeramie) (Entered: 04/11/2018)
04/27/2018	<u>10</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HOMELAND SECURITY.(Walker, Johnny) (Entered: 04/27/2018)
05/02/2018		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall promptly confer and file a joint proposed schedule for briefing or disclosure, on or before 5/16/2018. Signed by Judge Ketanji Brown Jackson on 05/02/2018. (lckbj1) (Entered: 05/02/2018)
05/16/2018	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 05/16/2018)
05/21/2018		MINUTE ORDER. In light of the representations made in the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 6/15/2018. Signed by Judge Ketanji Brown Jackson on 05/21/2018. (lckbj1) (Entered: 05/21/2018)
06/15/2018	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 06/15/2018)

06/19/2018	<u>13</u>	MINUTE ORDER. In light of the representations in the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 7/30/2018, which shall contain a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 06/19/2018. (lckbj1) (Entered: 06/19/2018)
07/30/2018	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Walker, Johnny) (Entered: 07/30/2018)
07/31/2018		MINUTE ORDER. In light of the representations in the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 9/13/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 7/31/2018. (lckbj1) (Entered: 07/31/2018)
09/13/2018	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 09/13/2018)
09/18/2018		MINUTE ORDER. In light of the representations in the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 11/13/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 9/18/2018. (lckbj1) (Entered: 09/18/2018)
11/13/2018	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 11/13/2018)
11/19/2018		MINUTE ORDER. In light of the representations in the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 1/4/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 11/19/2018. (lckbj1) (Entered: 11/19/2018)
12/28/2018	<u>17</u>	MOTION to Stay by U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Coles–Huff, Doris) (Entered: 12/28/2018)
12/28/2018		MINUTE ORDER granting <u>17</u> Consent Motion to Stay in light of lapse of appropriations. For good cause shown, it is hereby ORDERED that this case is STAYED. Counsel for Defendant shall notify the Court as soon as Congress has appropriated funds; at that point, the Court will enter an order resetting the applicable deadlines, which will be extended day–for–day with the duration of the lapse in appropriations. Signed by Judge Ketanji Brown Jackson on 12/28/2018. (lckbj3) (Entered: 12/28/2018)
01/29/2019	<u>18</u>	NOTICE of Restored Funding by U.S. DEPARTMENT OF HOMELAND SECURITY re Order on Motion to Stay, (Walker, Johnny) (Entered: 01/29/2019)
01/29/2019		MINUTE ORDER. Defendant has provided notice that that an appropriations act providing funding to the Department of Justice for a three–week period of time was enacted on January 25, 2019 (ECF No. <u>18</u> .) Accordingly, it is hereby ORDERED that the stay in this matter is lifted, and that on or before 2/8/2019, the parties shall file a joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 1/29/2019. (lckbj1) (Entered: 01/29/2019)
02/08/2019	<u>19</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Walker, Johnny) (Entered: 02/08/2019)
02/11/2019		MINUTE ORDER. In light of the representations in the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 3/25/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 2/11/2019. (lckbj1) (Entered: 02/11/2019)
03/25/2019	<u>20</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 03/25/2019)

04/03/2019		MINUTE ORDER. In light of the representations in the parties' <u>20</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 4/8/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 4/3/2019. (lckbj1) (Entered: 04/03/2019)
04/08/2019	<u>21</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 04/08/2019)
04/11/2019		MINUTE ORDER. In light of the representations in the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 5/8/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 4/11/2019. (lckbj1) (Entered: 04/11/2019)
05/08/2019	<u>22</u>	STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Scott, Jeramie) (Entered: 05/08/2019)
05/08/2019	<u>23</u>	STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Walker, Johnny) (Entered: 05/08/2019)
05/13/2019	<u>24</u>	ORDER requiring DHS Headquarters to complete searches on or before 6/12/2019, and to begin production of responsive records on or before 7/29/2019, and requiring parties to file a joint status report on or before 6/17/2019. Signed by Judge Ketanji Brown Jackson on 5/13/2019. (lckbj1) (Entered: 05/13/2019)
06/17/2019	<u>25</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 06/17/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Ketanji Brown Jackson is no longer assigned to the case. (ztnr) (Entered: 06/24/2019)
07/31/2019	<u>26</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 07/31/2019)
08/02/2019		MINUTE ORDER. In light of the Parties' <u>26</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit an additional Joint Status Report by August 30, 2019. Signed by Judge Carl J. Nichols on August 2, 2019. (lccjn1) (Entered: 08/02/2019)
08/02/2019		Set/Reset Deadlines: Parties Additional Joint Status Report due by 8/30/2019. (mac) (Entered: 08/02/2019)
08/29/2019	<u>27</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 08/29/2019)
09/03/2019		MINUTE ORDER. Upon review of the Parties' <u>27</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit a Joint Status Report by October 29, 2019. Signed by Judge Carl J. Nichols on September 3, 2019. (lccjn2) (Entered: 09/03/2019)
09/03/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/29/2019. (zcdw) (Entered: 09/05/2019)
09/05/2019	<u>28</u>	NOTICE of Appearance by Alan Jay Butler on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Butler, Alan) (Main Document 28 replaced on 9/9/2019) (zjf). (Entered: 09/05/2019)
09/05/2019	<u>29</u>	NOTICE of Change of Address by Jeramie D. Scott (Scott, Jeramie) (Entered: 09/05/2019)
10/29/2019	<u>30</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 10/29/2019)
10/31/2019		MINUTE ORDER. Upon review of the Parties' <u>30</u> Joint Status Report, it is hereby ORDERED that the Parties shall submit a Joint Status Report by November 13, 2019. Signed by Judge Carl J. Nichols on October 31, 2019. (lccjn2) (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 11/13/2019. (zcdw) (Entered: 10/31/2019)